

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Allison Miller Waterbury

Debtor.

Bky. Case No. 18-42930
Adv. Case No. 19-04041

Allison Miller Waterbury,
Plaintiff,

v.

NOTICE OF CONTINUED
HEARING AND MOTION
FOR ENTRY OF DEFAULT
JUDGMENT

American University of Antigua,
Defendant.

TO: American University of Antigua and its attorney Timothy
O'Brien, O'Brien Law Firm, P.C., 2915 Wayzata Blvd.,
Minneapolis, MN 55405.

1. Allison Miller Waterbury ("Plaintiff"), by her undersigned attorney, moves the Court for the relief requested below and gives notice of continued hearing for her Motion that was originally scheduled for July 2, 2019 at 11:30 a.m..
2. The Court will hold a hearing on this motion at 11:00 a.m. on July 24, 2019 or as soon thereafter as counsel can be heard, in U.S. Bankruptcy Court, Courtroom 7 West, United States Courthouse, 300 South 4th Street, Minneapolis, Minnesota 55415.
3. Any response to this motion must be filed and served not later than the 19th day of July, 2019, which is five (5) days before the

time set for the hearing (including Saturdays, Sundays, and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This Court has jurisdiction over this motion pursuant to 28 U.S.C. Section 157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this Chapter 7 case was filed on September 16, 2018. Discharge was granted December 12, 2018. The case is now pending before this Court.
5. This motion arises under 11 U.S.C. Section 523(a)(8) and Bankruptcy Rule 9013. This motion is filed under Bankruptcy Rule 9014 and Local Rule 9013-1.

WHEREFORE, Plaintiff moves the Court for entry of default judgment, and for such other relief as may be just and equitable.

MOTION FOR ENTRY OF DEFAULT JUDGMENT

PLEASE TAKE NOTICE, that pursuant to Local Bankruptcy Rule 7055-1, the plaintiff hereby moves for entry of default judgment in the above-referenced adversary proceeding. This motion is based upon all of the pleadings, file and record herein, the Affidavit of Default and Identification of Defaulting Party and the Affidavit on the Merits that were both served and filed on June 11, 2019. Pursuant to Local Bankruptcy Rule 7055-1, the court in its discretion may order a hearing before entry of default judgment.

Dated: July 1, 2019

/e/Michael K. Hoverson
HOVERSON LAW OFFICES, P.A.
By: Michael K. Hoverson
Attorney for Plaintiff
300 Union Plaza
333 Washington Avenue North
Minneapolis, MN 55401
(612) 349-2728
Attorney I.D. #175948

VERIFICATION: I, Michael K. Hoverson, attorney for the Plaintiff, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge and belief.

Dated: July 1, 2019

/e/Michael K. Hoverson